



**Testimony of Patrick Boyle**  
**Senior Director, New York**  
**Enterprise Community Partners, Inc.**

**To the New York State Senate and New York State Assembly**

**Joint Legislative Budget Hearing on Housing**

**February 14<sup>th</sup>, 2024**

My name is Patrick Boyle and I am Senior Director for the New York office of Enterprise Community Partners, a national nonprofit that exists to make a good home possible for the millions of families without one. We support community development organizations on the ground, aggregate and invest capital for impact, advance housing policy at every level of government, and build and manage communities ourselves. Since our New York office opened in 1987, we have committed more than \$5.3 billion in equity, loans and grants to affordable housing and community to create or preserve over 83,000 affordable homes across New York State. On behalf of Enterprise, we would like to thank Chair Rosenthal and Chair Kavanagh, as well as Senate Finance Committee Chair Liz Krueger and Assembly Ways and Means Committee Chair Helene E. Weinstein for the opportunity to testify today on State Fiscal Year (SFY) 2024-25 budget and to speak on the tremendous housing needs that New Yorkers currently face.

**Overview**

The affordable housing crisis remains the most significant public policy challenge facing New York State. It has many manifestations, all of which point to one underlying fact: that there is not enough affordable housing for those in need, all throughout the State.

In last year's session, housing affordability was a central priority of the Executive and Legislature. The failure of a comprehensive set of solutions advancing means that all stakeholders inside and outside of government must work even harder to find compromise and enact solutions to help struggling New Yorkers.

In this testimony, we will provide feedback to specific areas of the Governor's budget proposal as well as highlight additional solutions that we recommend the Legislature prioritize as the Senate and Assembly consider their respective responses.

### **The Housing Access Voucher Program (HAVP)**

We thank the Senate and Assembly for their support historically of the Housing Access Voucher Program. With homelessness rising in much of the State, rental arrears and housing insecurity a persistent issue, and the impact of the migrant emergency still being felt, the program is more needed than ever.

As co-conveners of the Housing Access NY coalition, we have seen firsthand how membership in that coalition has grown both in number and in geographic representation around the State. We encourage lawmakers to continue to work with our coalition to understand the ways in which HAVP would help families in need as well as struggling owners seeking financial stability for their properties. While housing supply is an important priority, we must also look to those solutions that will provide immediate relief. We encourage funding of HAVP at the level of \$250 million.

### **Affordable Housing Insurance**

We support language in the Governor's Executive Budget that prohibits insurance companies from discriminating against affordable housing and tenant source of income in offering or renewing insurance policies or setting rates. Affordable and supportive housing must not be treated differently simply because it serves low- and moderate-income households. Unfortunately, it is clear from our work around the State that this type of discrimination remains common.

We recommend that the proposed language be amended to make clearer that both property and liability insurance are covered by the provision. Additionally, it will be important for this change in the law to come with penalty and enforcement language so that the costs of noncompliance are clear to insurance companies and to the NYS Department of Financial Services (DFS) as regulator.

Additionally, we urge caution that this anti-discrimination measure – while vitally important – is not the full solution to problems of insurance in affordable housing. Policies are simply too expensive. The high costs of premiums, rising deductibles and increasing exemptions are threatening the delivery of new affordable housing and are a serious existential threat to the existing portfolio, which is already carefully underwritten to cost standards that simply are not the reality anymore.

There will need to be solutions that target high costs through a combination of funding mechanisms, expanding the insurance marketplace and addressing root causes of high costs. We look forward to engaging with the Legislature in the near future about ideas that tackle this very serious issue.

### **Increase Funding for the Fair Housing Testing, Education and Networking Program**

In 2023, New York State launched the Fair Housing Testing, Education and Networking Program, administered by Homes and Community Renewal (HCR). The program, which builds upon a pilot program created by Enterprise Community Partners in 2020, allocated \$2 million to six Qualified

Fair Housing Organizations (QFHOs) that are operating as full-service fair housing organizations across the State. The new program has been successful, with organizations deepening their work within their service areas, hiring new staff, holding over 60 training events, and conducting over 500 fair housing tests to help drive enforcement actions against discriminatory behavior.

However, the program needs additional support. Current funding levels prevent the QFHOs from fully serving their communities, particularly in outlying parts of their service areas where staff is limited, as funding decreased from 2020 pilot program levels. Furthermore, the program could fund a wider range of services, including client intake, enforcement actions not tied to testing and other crucial work that QFHOs do that they do not currently receive State funding for.

We support the Governor’s proposal of a new enforcement unit within NYS Department of Human Rights and HCR focused on early intervention against source of income discrimination. But government enforcement needs a robust and fully funded nonprofit network to help find cases; nonprofit organizations fielded 64% of all fair housing complaints in New York in 2022.

We recommend that the HCR Fair Housing Testing, Education and Networking program funding be increased to \$8 million annually.

### **State Environmental Quality Review Act (SEQRA) Reform**

Too little affordable housing is being created around the State and there remain barriers in place which prevent, limit, or delay affordable housing creation. Restrictions on the supply of affordable housing has a disparate impact on lower-income New Yorkers and New Yorkers of color, as these barriers are often most pronounced in so-called high opportunity parts of the State which have historically limited supply, particularly of affordable and subsidized housing.

Enterprise supports S925A / A4933, which streamlines SEQRA for multifamily developments while maintaining important environmental guardrails. Too often, SEQRA is weaponized to delay projects through costly litigation, as New York is one of only six states to require environmental review for zoning changes. With New York City recently announcing the important “Green Fast Track” measures, we urge the State to similarly turn its attention toward this important area.

As an initial step, we support the Governor’s announcement that she has directed the State Department of Environmental Conservation to examine reforms to SEQRA.

### **Supportive Housing Funding**

We join the Supportive Housing Network and other advocates in encouraging the conversion of around 9,000 New York State Supportive Housing Program (NYSSHP) contracts to Empire State Supportive Housing Initiative (ESSHI), bolstered by an additional \$32 million to bring these units up to full funding.



### **Rural Housing Needs**

New York State has around 22,000 units of United States Department of Agriculture (USDA) Section 515 housing. Developed in the 1990s and early 2000s in rural areas around the State, much of this housing is approaching the end of their regulatory periods, bringing potential loss of affordability. We support the Rural Housing Coalition in its ask for \$25 million in funding to preserve these properties and keep them affordable for the next generation of families throughout New York.

In addition, we urge restoration of proposed cuts to the Homeowner Protection Program (HOPP), Rural Rental Assistance and Neighborhood Preservation Programs. All are vital to meeting housing needs across the State, especially in rural communities, and also help to fund important foreclosure prevention work.

Thank you for your consideration and your partnership.